

Application No. 10/038,003

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**REMARKS**

Claims 41-68 are pending in the present application.

The Office Action objects to an informality on page 4, line 8. In response, Applicants have corrected the paragraph beginning at page 4, line 8 to correct this informality.

The Office Action objects to claim 68, because the term "receiver" apparently should read "transmitter". In response, Applicants have amended claim 68 accordingly.

The Office Action rejects claims 41, 49, 50 and 53 under 35 U.S.C. § 102 as being anticipated by US Patent No. 5,907,582 to Yi, and as being anticipated by the published article "An Upper Bound On Turbo Code Free Distance," by Blackert, Hall and Wilson. In response, Applicants have canceled claims 41 and 50, and have amended claims 49 and 53 so as to eliminate their respective incorporation of the rejected claims 41 and 50.

The Office Action objects to claims 42-48, 51 and 52 as being dependent upon a rejected base claim. In response, Applicants have amended claims 42-48, 51 and 52 to be in independent form including all of the limitations of the base claim and any intervening claims.

The Office Action specifies that claims 54-67 are allowed.

Applicants, therefore, respectfully submit that all pending claims are in condition for allowance and notice to this effect is respectfully requested.

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No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If, however, the Examiner believes that there are any unresolved issues requiring adverse action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Craig Plastrik, at 301-601-7252, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully Submitted,



Dated: 17 August 2004

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